

ARIZONA HOUSE OF REPRESENTATIVES  
Fifty-second Legislature - First Regular Session

## MAJORITY CAUCUS CALENDAR

March 23, 2015

Bill Number	Short Title	Committee	Date	Action
-------------	-------------	-----------	------	--------

### Committee on Agriculture, Water and Lands

Chairman: Brenda Barton, LD6

Analyst: Tom Savage

Vice Chairman: Darin Mitchell, LD13

Intern: Christopher Palmer

#### [SB 1345](#)

~~government purchase of private property~~  
(Now: private land acquisition; study committee)

SPONSOR: GRIFFIN, LD14

SENATE	3/4/2015		(21-8-1-0)
(No: DALESSANDRO,CAJERO BEDFORD,FARLEY,BRADLEY,CONTRERAS,HOBBS,ABLESER,QUEZA DA; NV: SHOOTER)			
AWL	3/19	DP	(7-1-0-1-0)
(No: GABALDÓN; Abs: MONTENEGRO)			

#### [SB 1466](#)

livestock loss board; compensation fund

SPONSOR: ALLEN, LD6

SENATE	3/3/2015		(22-8-0-0)
(No: DALESSANDRO,CAJERO BEDFORD,FARLEY,BRADLEY,CONTRERAS,HOBBS,ABLESER,QUEZA DA)			
AWL	3/19	DPA	(9-0-0-0-0)

#### [SCM 1004](#)

~~memorial; urging Congress; technical correction~~  
(Now: waters; definition; urging Congress)

SPONSOR: GRIFFIN, LD14

SENATE	3/3/2015		(22-8-0-0)
(No: DALESSANDRO,CAJERO BEDFORD,FARLEY,BRADLEY,HOBBS,ABLESER,QUEZADA,MEZA)			
AWL	3/19	DP	(7-1-0-1-0)
(No: GABALDÓN; Abs: MONTENEGRO)			

### Committee on Children and Family Affairs

Chairman: John M. Allen, LD15

Analyst: Ingrid Garvey

Vice Chairman: Kate Brophy McGee, LD28

Intern: Brennan Rohs

#### [SB 1400](#)

human rights committees; members

SPONSOR: BARTO, LD15

SENATE	3/4/2015		(30-0-0-0)
CFA	3/16	DPA	(8-0-0-1-0)
(Abs: TOWNSEND)			

[SB 1440](#) ALTCS; developmental disabilities; rates; appropriation

SPONSOR: SMITH, LD11

SENATE	3/6/2015		(28-0-2-0)
(NV: DIAL,ABLESER)			
CFA	3/16	DP	(8-0-0-1-0)
(Abs: TOWNSEND)			
APPROP	3/18	DP	(12-0-0-2-0)
(Abs: RIVERO,BOWERS)			

#### Committee on Commerce

**Chairman:** Warren H. Petersen, LD12

**Analyst:** Diana Clay

**Vice Chairman:** Jill Norgaard, LD18

**Intern:** Justin Larson

[SB 1030](#) microbreweries; multiple licenses; production; sales

SPONSOR: WARD, LD5

SENATE	3/11/2015		(28-1-1-0)
(No: FARNSWORTH D; NV: FARLEY)			
COM	3/18	DP	(8-0-0-0-0)

[SB 1343](#) ~~unemployment insurance; reimbursable employers~~

(Now: unemployment insurance; reimbursable employers)

SPONSOR: GRIFFIN, LD14

SENATE	3/9/2015		(27-0-3-0)
(NV: CAJERO BEDFORD,PANCRAZI,BEGAY)			
COM	3/18	DPA	(5-3-0-0-0)
(No: FERNANDEZ,ESPINOZA,MACH)			

#### Committee on Education

**Chairman:** Paul Boyer, LD20

**Analyst:** Aaron Wonders

**Vice Chairman:** Jay Lawrence, LD23

**Intern:** Joey Pickels

[SB 1173](#) schools; bonds; overrides; funding sources

SPONSOR: YEE, LD20

SENATE	2/23/2015		(16-13-1-0)
(No:			
DALESSANDRO,PANCRAZI,BEGAY,MCGUIRE,FARLEY,BRADLEY,DIA			
L,CONTRERAS,HOBBS,ABLESER,MIRANDA,QUEZADA,MEZA; NV:			
CAJERO BEDFORD)			
ED	3/18	DP	(4-2-0-2-0)
(No: COLEMAN,OTONDO; Abs: BOLDING,BOYER)			

#### Committee on Energy, Environment and Natural Resources

**Chairman:** Franklin M. Pratt, LD8

**Analyst:** Tom Savage

**Vice Chairman:** Russell "Rusty" Bowers, LD25

**Intern:** Christopher Palmer

[SB 1007](#) ~~technical correction; trust lands; access~~

(Now: state plans; carbon dioxide emissions)

SPONSOR: BURGES, LD22

SENATE	3/3/2015		(30-0-0-0)
EENR	3/16	DP	(9-0-0-0-0)

**Committee on Elections****Chairman: Michelle R. Ugenti, LD23****Analyst: Ginna Carico****Vice Chairman: Javan D. "J.D." Mesnard, LD17****Intern: Robert Lewis**[SB 1182](#) candidate petition signatures; electronic qualification

SPONSOR: WARD, LD5

SENATE	2/16/2015	(27-2-1-0)
(No: DALESSANDRO,QUEZADA; NV: MIRANDA)		
ELECT	3/16	DP (6-0-0-0-0)

**Committee on Government and Higher Education****Chairman: Bob Thorpe, LD6****Analyst: Katy Proctor****Vice Chairman: John Christopher Ackerley, LD2****Intern: Danny DeHoog**[SB 1090](#) neutrality agreement; apprenticeship agreement; prohibition

SPONSOR: KAVANAGH, LD23

SENATE	2/9/2015	(16-13-1-0)
(No: DALESSANDRO,CAJERO BEDFORD,PANCRAZI,BEGAY,MCGUIRE,FARLEY,BRADLEY,DIAL,CO NTRERAS,HOBBS,MIRANDA,QUEZADA,MEZA; NV: ABLESER)		
GHE	2/26	DP (6-3-0-0-0)
(No: FRIESE,SALDATE,LARKIN)		

[SB 1393](#) delayed birth certificates; Native Americans

SPONSOR: BEGAY, LD7

SENATE	3/4/2015	(30-0-0-0)
GHE	3/19	DP (7-0-0-2-0)
(Abs: LOVAS,THORPE)		

**Committee on Health****Chairman: Heather Carter, LD15****Analyst: Ingrid Garvey****Vice Chairman: Regina Cobb, LD5****Intern: Brennan Rohs**[SB 1258](#) medical board; affiliation verification; rulemaking

SPONSOR: WARD, LD5

SENATE	2/23/2015	(29-0-1-0)
(NV: CAJERO BEDFORD)		
HEALTH	3/17	DPA (4-0-0-2-0)
(Abs: MEYER,BOYER)		

[SB 1283](#) outpatient treatment centers; colocation; respite

SPONSOR: BARTO, LD15

SENATE	3/3/2015	(30-0-0-0)
HEALTH	3/17	DPA (4-0-0-2-0)
(Abs: MEYER,BOYER)		

**Committee on Judiciary****Chairman: Edwin W. Farnsworth, LD12****Analyst: Gina Kash****Vice Chairman: Sonny Borrelli, LD5****Intern: Morganne Barrett**[SB 1064](#) service of process; regulation

SPONSOR: KAVANAGH, LD23

SENATE	3/4/2015	(16-13-1-0)
(No: DALESSANDRO,CAJERO BEDFORD,PANCRAZI,BEGAY,MCGUIRE,FARLEY,BRADLEY,CONTRE RAS,HOBBS,ABLESER,MIRANDA,QUEZADA,MEZA; NV: SHOOTER)		

JUD 3/18 DP (6-0-0-0-0)

[SB 1404](#) health care directives; conflicts  
 SPONSOR: YEE, LD20  
 SENATE 3/3/2015 (29-1-0-0)  
 (No: HOBBS)  
 JUD 3/18 DP (5-1-0-0-0)  
 (No: FRIESE)

[SB 1439](#) judicially appointed psychologists; complaints  
 SPONSOR: SMITH, LD11  
 SENATE 3/4/2015 (30-0-0-0)  
 JUD 3/18 DPA (6-0-0-0-0)

# **Committee on Military Affairs and Public Safety**

**Chairman: Sonny Borrelli, LD5**

**Vice Chairman: Mark Finchem, LD11**

**Analyst: Casey Baird**

**Intern: Delaney Krauss**

[HB 2501](#) women veteran special plates  
 SPONSOR: LARKIN, LD30 HOUSE  
 MAPS 2/12 DP (8-1-0-0-0)  
 (No: KERN)

[SB 1296](#) spousal maintenance; veterans disability benefits  
 SPONSOR: SMITH, LD11  
 SENATE 3/6/2015 (24-4-2-0)  
 (No: PIERCE, FARNSWORTH D, BURGESS, DRIGGS; NV: DIAL, ABLESER)  
 MAPS 3/19 DP (7-0-0-2-0)  
 (Abs: BORRELLI, FINCHEM)

[SB 1300](#) law enforcement officers; body cameras  
 SPONSOR: KAVANAGH, LD23  
 SENATE 3/6/2015 (21-7-2-0)  
 (No: DALESSANDRO, BRADLEY, CONTRERAS, HOBBS, MIRANDA, QUEZADA, MEZA; NV: DIAL, ABLESER)  
 MAPS 3/19 DPA (7-0-0-2-0)  
 (Abs: BORRELLI, FINCHEM)

[SB 1373](#) criminal justice information; access  
 SPONSOR: KAVANAGH, LD23  
 SENATE 2/26/2015 (28-0-2-0)  
 (NV: WARD, ABLESER)  
 MAPS 3/19 DP (7-0-0-2-0)  
 (Abs: BORRELLI, MACH)

# **Committee on Rules**

**Chairman: David W. Stevens, LD14**

**Vice Chairman: Steve Montenegro, LD13**

SCR 1019 commending Israel  
 SPONSOR: GRIFFIN, LD14  
 SENATE 3/17/2015

**Committee on Ways and Means**  
**Chairman: Darin Mitchell, LD13**  
**Analyst: Ryan Sullivan**

**Vice Chairman: Anthony Kern, LD20**  
**Intern: Matthew VanBenschoton**

[SB 1133](#)      TPT; municipalities; customer refund claims  
SPONSOR:    LESKO, LD21  
SENATE                      3/3/2015                      (20-10-0-0)  
(No: DALESSANDRO,CAJERO  
BEDFORD,PANCRAZI,FARLEY,BRADLEY,CONTRERAS,HOBBS,ABLE  
SER,QUEZADA,MEZA)  
WM                      3/16                      DP                      (6-2-0-1-0)  
(No: SHERWOOD,CARDENAS; Abs: WHEELER)

[SB 1135](#)      tax liens; delinquency; partial payments.  
SPONSOR:    SMITH, LD11  
SENATE                      3/3/2015                      (29-1-0-0)  
(No: PANCRAZI)  
WM                      3/16                      DPA                      (8-0-0-1-0)  
(Abs: WHEELER)



# HOUSE OF REPRESENTATIVES

SB 1345

private land acquisition; study committee

Sponsor: Senator Griffin

---

**DP** Committee on Agriculture, Water and Lands

**X** Caucus and COW

House Engrossed

---

## OVERVIEW

SB 1345 establishes the Private Land Acquisition Study Committee (Committee).

## HISTORY

Laws 2012, Chapter 176 established the Joint Legislative Study Committee (JLSC) on Government and Private Lands to examine the consequences of the transfer of property from private parties to government entities. A report was to be submitted regarding the activities and recommendations of the JLSC on or before December 31, 2012 to the President of the Senate, the Speaker of the House, and the Secretary of the state.

The JLSC had not met before the sunset date, October 1, 2013, so the Ad Hoc Committee on Government and Private Lands was established by the President of the Senate and the Speaker of the House to complete the tasks originally assigned to the JLSC.

## PROVISIONS

1. Establishes the Committee composed of:
  - a. Three members of the Senate, not more than two of whom are members of the same political party, and one county assessor, who are appointed by the President of the Senate; and
  - b. Three members of the House of Representatives, not more than two of whom are members of the same political party, who are appointed by the Speaker of the House;
2. Requires the Committee to:
  - a. Conduct hearings and collect and analyze information relating to the acquisition of privately owned real property by government entities;
  - b. Examine the impact that ownership of real property by a government entity has on the economies of this state and of local communities;
  - c. Identify a process to allow a government entity to acquire privately owned real property without reducing the tax base of the local community; and
  - d. Submit a report regarding the study Committee's activities, findings and recommendations to the Governor, and the Legislature prior to January 1, 2018.
3. Repeals the Committee on October 1, 2018.



# HOUSE OF REPRESENTATIVES

## SB 1466

livestock loss board; compensation fund

Sponsors: Senator Allen; Representatives Barton, Bowers, et al.

---

**DPA** Committee on Agriculture, Water and Lands

**X** Caucus and COW

House Engrossed

---

### OVERVIEW

SB 1466 establishes a nine-member Livestock Loss Board and Livestock Compensation Fund.

### HISTORY

In 2014, Congress authorized the Agricultural Act of 2014, which allowed the Livestock Indemnity Program to provide livestock owners and producers payments for livestock loss resulting from animals, including wolves, reintroduced into the wild by the federal government. The payments provided are equal to 75% of the market value of the applicable livestock and are retroactive to cover eligible losses back to October 1, 2011.

The Montana Legislature established a livestock loss board in 2007 to provide financial reimbursements to livestock operators for losses caused by wolves and grizzly bears and to apply prevention tools and incentives to decrease the risk of wolf or grizzly bear caused losses.

### PROVISIONS

#### *Livestock Loss Board (Board)*

1. States the purpose of the Board is to address the depredation of wolves on livestock operations.
2. Establishes the Board with the following members:
  - a. The Director of the Department of Agriculture;
  - b. The Director of the Game and Fish Department (G&F);
  - c. Three Governor-appointed members representing the livestock industry;
  - d. Two Governor-appointed members representing wildlife conservation or wildlife management interests and who have experience with livestock production;
  - e. One member appointed by the Speaker of the House who is a livestock auction market owner; and
  - f. One member appointed by the President of the Senate who is a university faculty member with experience in agricultural and life sciences.
3. Specifies that the appointments by the Governor, the Speaker and the President must assign themselves to two- and four-year terms and all subsequent appointments will serve four-year terms.
4. Stipulates that a majority of members is a quorum of the Board.
5. Specifies that members of the Board may only receive compensation for travel expenses.
6. Requires the Board to submit an annual report to the Governor, the Legislature and the Secretary of State containing the number of applications for compensation, the total amount of monies provided to landowners, lessees and livestock operators as well as any recommendations of the Board.
7. Sunsets the Board on July, 1, 2023.
8. Requires the Board to establish:
  - a. Procedures to compensate livestock operators, landowners or lessees for wolf depredation on livestock;

- b. Requirements to report and demonstrate wolf depredation on livestock;
  - c. Eligibility and application requirements to receive compensation;
  - d. The compensation rate for each livestock animal depredated by wolves; and
  - e. Procedures to appeal decisions of the Board.
9. Stipulates that the Board must also research and develop measures to prevent wolf depredation on livestock.
10. The Board may:
- a. Implement a pay-for-presence program to provide compensation to landowners, lessees and livestock operators who allow wolves to be present on private property and accept the potential of wolf depredation on livestock;
  - b. Coordinate with G&F in investigations of wolf depredations of livestock and any corrective measures;
  - c. Coordinate with state and federal wildlife agencies to verify wolf depredation on livestock;
  - d. Collaborate with federal farm services agencies to promote livestock compensation programs; and
  - e. Adopt rules.

#### ***Livestock Compensation Fund (Fund)***

11. Establishes the Fund consisting of federal monies, legislative appropriations and donations to be used for compensating livestock operators, landowners and lessees for wolf depredation on livestock and for participating in a pay-for-presence program.
12. Requires the Board to administer the Fund.
13. Allows the Board to accept and spend federal monies, grants, gifts, contributions and devises.
14. Specifies that monies in the Fund are continuously appropriated and do not revert to the General Fund at the end of the Fiscal Year.
15. Requires monies in the fund to be used to supplement, not supplant, monies appropriated to G&F.

#### **AMENDMENTS**

##### **Agriculture, Water and Lands**

1. Establishes a Class 6 felony for knowingly importing, transporting and releasing wildlife in Arizona that is listed on the endangered, threatened or candidate species list without lawful authority under state or federal law.
2. Establishes a Class 4 felony for the act of intending to disrupt or interfere with the development or use of public natural resources by establishing the presence of an endangered, threatened or candidate species in an area not currently known to be occupied by the species.



# HOUSE OF REPRESENTATIVES

## SCM 1004

waters; definition; urging Congress  
Sponsors: Senators Griffin: Shooter

---

**DP** Committee on Agriculture, Water and Lands

**X** Caucus and COW

House Engrossed

---

### OVERVIEW

SCM 1004 urges Congress to pass the Waters of the United States Regulatory Overreach Protection Act of 2015 (H.R. 594).

### HISTORY

On April 21, 2014, the United States Environmental Protection Agency (EPA) and the United States Army Corps of Engineers (Army Corps) published a proposed rule in the Federal Register that defines "Waters of the United States" under the Clean Water Act (CWA). This proposed rule will expand the scope of the CWA, as well as subject almost all physical areas with a connection to downstream navigable waters to the jurisdiction of the CWA.

The final rule is projected to be published in the Federal Register by August 31, 2015.

H.R. 594, sponsored by Representative Gosar, dictates that the Secretary of the Army (Secretary) jointly consults with state and local officials to develop recommendations for a proposal that would identify scope of waters covered and not covered under the Federal Water Pollution Control Act. The Secretary is required to consult officials and follow the requirements of the consultation given in H.R. 594.

The Secretary must publish a draft report describing the recommendations developed in the consultation in the Federal Register, no later than one year after the date of the enactment of H.R. 594. A consensus must be met between the Secretary and the Administrator of the EPA (Administrator). If a consensus is not met, the draft report must describe the areas and issues where a consensus was met, areas and issues where there are still disagreements, and explanations for those disagreements. The Secretary and Administrator must allow no less than 180 days for the public to review and comment on the draft report. A final report is required to be submitted to the Committee on Transportation and Infrastructure and the Committee on Environment and Public Works no later than two years after the enactment of H.R. 594.

### PROVISIONS

1. Urges Congress to pass H.R. 594, which prohibits the EPA and the Army Corps from developing, finalizing, adopting, implementing, applying, administering or enforcing the proposed federal rule that defines "Waters of the United States" under the Clean Water Act.
2. Requests the Secretary of State to transmit copies of this Memorial to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, each Member of Congress from the State of Arizona, the Administrator of the EPA and the Commanding General and Chief of Engineers of the Army Corps.



# HOUSE OF REPRESENTATIVES

## SB 1400

human rights committees; members

Sponsors: Senators Barto: Ward

---

**DPA** Committee on Children and Family Affairs

**X** Caucus and COW

House Engrossed

---

### OVERVIEW

SB 1400 modifies the membership and duties of Human Rights Committees (HRCs).

### HISTORY

Arizona Revised Statutes (A.R.S.) §§ 41-3801, 41-3802 and 41-3803 establishes HRCs within the Arizona Department of Economic Security (ADES), the Department of Child Safety (DCS) and the Arizona Department of Health Services (ADHS), for various purposes. Each HRC must consist of at least seven and not more than fifteen members with expertise in the following areas: psychology; law; medicine; education; special education; and social work. HRCs are also required to include at least two parents of children who receive behavioral health, DDD or DCS services. Additionally, HRCs on the mentally ill are required to include at least two members who are current or former clients of the behavioral health system. Each region of the state covered by a regional behavioral health authority must have at least one HRC on the mentally ill with the authority and responsibilities as prescribed by ADHS. The purpose of the HRC on the mentally ill is to promote the rights of persons who receive behavioral health services.

Subject to the approval of the appropriate department director, each HRC must adopt guidelines that govern its operation, including terms of members, quorum and attendance requirements and removal of a committee member if necessary. Statute requires HRCs to issue an annual report of its activities and recommendations for changes to the director of the appropriate department. HRC members have access to client information and records maintained by the appropriate department, provider or regional behavioral health authorities to the extent necessary to conduct committee duties. Each person who receives information or records is required to maintain the information or records as confidential and sign an agreement to comply with all confidentiality requirements. Any client information or records must be released to the HRC without the designation of personally identifiable information unless required for the official purposes of the HRC.

### PROVISIONS

1. Includes mental health and housing for the mentally ill as areas of expertise.
2. Requires each HRC to include at least one member rather than two who is a current or former client of the behavioral health system.
3. Authorizes current or former providers and employees of providers that have contracted with a regional behavioral health authority to serve on a HRC.
4. Requires ADHS to ensure that each regional behavioral health authority and its providers develop and implement a human rights training plan to ensure that providers are trained regarding clients' human rights and the duties of the human rights committees.
5. Allows employees of AHCCCS to serve on a committee only as nonvoting members whose presence is not counted for the purpose of determining a quorum.

6. Requires each committee to provide independent oversight to make recommendations to the appropriate department director and the legislature regarding laws, rules, policies, procedures and practices to ensure the protection of the rights of clients receiving behavioral health and developmental disability services.
7. Requires the appropriate department director to respond, in writing, to written objections within 21 days after receiving the objections.
8. Requires each committee to issue an annual report of its activities and recommendations for changes to the President of the Senate, the Speaker of the House of Representatives and the chairpersons of the Senate Health and Human Services Committee and the House of Representatives Health Committee, or their successor committees.
9. Expands access to client information and records for committee members and consultants to include quality of care reports and, on request, case presentations, investigative conclusions, substantiations, recommendations and other quality of care findings from peer reviews or any successor report or process.
10. Modifies the definition of *personally identifiable information* to include a person's name, fax number, e-mail address and social media identifier.
11. Authorizes HRCs to exchange information and engage in planning and coordination activities between committee members in the performance of committee duties pursuant to statute.
12. Allows HRCs to encourage public awareness and involvement in their activities by supporting committee members with affiliation agreements with postsecondary education-sponsored internship placements pursuant to the appropriate department's approved operating procedures.
13. Requires the appropriate departments to:
  - a. Coordinate education and training programs for committee members to facilitate their role as HRCs members; and
  - b. Coordinate statewide meetings of committees at least every two years and provide staff for the HRCs.
14. Provides that statute relating to conflict of interest apply to all HRC members.
15. Makes technical and conforming changes.

### **Amendments**

#### **Committee on Children and Family Affairs**

1. Includes adult protective services investigation case status and outcomes as client information and records to which committee members and consultants have access.
2. Removes investigative conclusions as client information and records that committee members and consultants are authorized to access.



# HOUSE OF REPRESENTATIVES

SB 1440

ALTCS; developmental disabilities; rates; appropriation

Sponsor: Senator Smith

---

**DP** Committee on Children and Family Affairs

**DP** Committee on Appropriations

**X** Caucus and COW

House Engrossed

---

## OVERVIEW

SB 1440 requires the Department of Economic Security (ADES) to annually determine the cost effective study (CES) rate for persons receiving developmental disability (DD) services and to report these figures to the Joint Legislative Budget Committee (JLBC).

## HISTORY

Laws 1972, Chapter 142 created ADES to promote the safety, well-being, and self-sufficiency of children, adults and families within Arizona. Consisting of numerous divisions, ADES supports enhanced safety and security for Arizonans by focusing on four key goals; strengthening individuals and families, enhancing self-sufficiency, collaborating with communities to enlarge their capacity, increasing efficiency and being effective through innovation and accountability.

The AHCCCS Medical Policy Manual provides that a CES must be completed for all elderly and/or physically disabled (E/PD) members with potential for placement in a home and community based (HCB) setting and for those E/PD members currently placed in an institutional setting who have discharge potential. Services provided must be cost effective whether the placement is in an institutional facility or an HCB setting. Placement in an HCB setting is considered appropriate if the cost of HCB services for a specific member does not exceed 100% of the net cost of institutional care for that member and HCB services will not meet the member's needs.

## PROVISIONS

1. Requires ADES to annually determine the CES rate for persons receiving DD services and provide that rate to AHCCCS.
2. Requires ADES on or before June 15 of each year to report to JLBC the CES rate for persons receiving DD services that was determined for the subsequent fiscal year (FY).
3. Appropriates \$120,000 from the special administration fund in FY 2016 to ADES to provide services for persons with developmental disabilities whose services were reduced under the current CES rate as a result of the FY 2015 legislatively mandated provider rate increases.



# HOUSE OF REPRESENTATIVES

## SB 1030

microbreweries; multiple licenses; production; sales

Sponsors: Senators Ward, Ableser, Barto, et al.

---

**DP** Committee on Commerce

**X** Caucus and COW

House Engrossed

---

### OVERVIEW

SB 1030 increases the aggregate cap on the annual production of beer by microbreweries, limits their allowable number of retail licenses and grandfathers existing microbreweries.

### HISTORY

The Arizona Department of Liquor Licenses and Control (DLLC) licenses, investigates and regulates the production, distribution and sale of alcoholic beverages in the state of Arizona through the 3-tier alcohol distribution system: producer; wholesaler/distributor; retailer. This system requires the producer to sell to a distributor who must then sell to the retailer. One exception is that Arizona permits a microbrewery to act simultaneously as both a producer and retailer, with no requirement to sell to a distributor [[azliquor.gov](http://azliquor.gov)].

DLLC issues 19 different license types, commonly referred to by a series number. A.R.S. § 4-205.08 outlines the requirements for a *microbrewery license* (series 03). A microbrewery licensee produces between 5,000 gallons and 1,240,000 gallons of beer annually and may sell beer for consumption on or off the premises. A microbrewery may own an unlimited number of retail licenses and is authorized to sell and deliver up to 93,000 gallons of beer directly to other licensed retailers annually. If the amount of beer produced or manufactured by a microbrewery exceeds the annual limit, that microbrewery must apply for and receive a *producer's license*.

Statute authorizes multiple liquor licenses to be held at one location (*stacking*), including for a microbrewery. A.R.S. § 4-243.09 allows a microbrewery (series 03) and farm winery (series 13) to be located on the same parcel of land, in separate buildings, with different ownership. The two licenses are *stacked* only by proximity, not by ownership or operation at the same location; however, they may share a tasting room.

An in-state *producer* (series 01) license allows for the production of all spirituous liquor on-premises, and the producer may sell to Arizona-licensed wholesalers only. The producer may hold a retail license for sales of produced beer for a location either on or adjacent to its production facility.

### PROVISIONS

1. Increases the allowable annual production limits for a microbrewery from 1,240,000 gallons per location to 6,200,000 gallons of beer in the aggregate.
2. Directs the microbrewery that exceeds the statutory limits on production of beer, to surrender its license and all associated control and privileges in order to receive a producer's license. Further, requires the licensee to relinquish all remote retail licenses.
3. Permits a licensed microbrewery to sell beer produced or manufactured by other microbrewers for consumption on-premises, limited to 20% of the licensee's annual sales of beer at the premises. If the other microbrewery has an established relationship with one or more wholesalers, the beer must be purchased through the wholesaler.

4. Allows a microbrewery with retail operations to sell spirituous liquor products to seven retail licensees that hold a *bar* (06), *beer and wine bar* (07), or *restaurant* license (12).
5. States that a microbrewery that annually produces or manufactures more than 1,240,000 gallons of beer cannot: a) apply for/receive any retail license for a remote location; b) sell or deliver beer to retail locations except those on or adjacent to the microbrewery.
6. Prohibits a microbrewery that is otherwise a distiller, vintner, brewer, blender or other producer of spirituous liquor in any jurisdiction from holding a remote retail license.
7. Contains session law that grandfathers the following, unless the license becomes inactive for more than six months:
  - a. A microbrewery licensee who also holds or has applied for more than seven allowable retail licenses before the effective date of this legislation.
  - b. A person holding any interest in a microbrewery by the effective date of this legislation and who also holds interest in any retail licenses.
  - c. A person holding an interest in a microbrewery and any in-state or out-of-state producer's license.
8. Grandfathers those holding an interest in a microbrewery and also holding an on-sale retail license for a remote location by January 1, 2016, and subsequently becomes a producer by January 1, 2019.
9. Grandfathers those holding a microbrewery license and either an in-state or out-of-state producer's license (or controlling interest).
10. Contains a severability clause.



# HOUSE OF REPRESENTATIVES

SB 1343

unemployment insurance; reimbursable employers

Sponsor: Senator Griffin

---

**DPA** Committee on Commerce

**X** Caucus and COW

House Engrossed

---

## OVERVIEW

SB 1343 prescribes steps in the process for a small business base period employer whose employee voluntarily leaves and then subsequently files for unemployment benefits.

## HISTORY

Arizona's Unemployment Insurance (UI) program is administered by the Department of Economic Security (DES) in partnership with the United States Department of Labor (DOL), and seeks to provide economic security for workers when they become unemployed through no fault of their own. The state pays benefits to eligible employees from the Unemployment Insurance Trust Fund (Trust Fund).

Arizona employers are required to pay both a state and a federal unemployment excise tax. The state unemployment insurance tax, referred to as SUTA (after the State Unemployment Tax Act), is collected by the DES UI Tax Section. SUTA taxes are used for the payment of unemployment insurance benefits, allowing eligible individuals to receive unemployment insurance benefits while seeking new employment. The Federal Unemployment Tax, called FUTA (after the Federal Unemployment Tax Act), is collected by the Internal Revenue Service and provides the monies that are appropriated by Congress back to the states, through DOL, to cover administrative costs.

The amount an Arizona employer must pay for SUTA is partially dependent on an employer's *experience rating*. Companies that have had few layoffs have better experience ratings and pay less into the Trust Fund, while employers that have had more layoffs in recent years have poorer experience ratings and pay more into the Trust Fund. Certain nonprofit organizations, state and local governments and Indian tribes can elect to make payments in lieu of paying taxes, which are a reimbursement to the Trust Fund equal to the employer's proportionate share of benefits paid to its former employees.

## PROVISIONS

1. Stipulates that benefits paid or payable to a claimant are not attributable to service with an employer if that employer has only one employee and is a base period employer from which that employee voluntarily left his or her job.
2. Asserts that the employer is not required to reimburse the benefits upon providing DES with information showing the employee voluntarily terminated the employment, within 10 days after receiving notice from DES that the individual has filed a claim for benefits.
3. Makes technical and conforming changes.

## AMENDMENTS

Committee on Commerce

1. Stipulates that an employee's termination from employment must be without good cause associated with the employment.
2. Designates the 10 days as 10 *business* days rather than calendar days.
3. Conditions the bill's provisions becoming effective only on the United States DOL's finding that the changes conform to the requirements of the Federal Unemployment Insurance Tax Act and notifies the state DES by January 1, 2016.
4. Directs DES to provide written notification to the Director of the Arizona Legislative Council of the date on which the condition is met or not.



# HOUSE OF REPRESENTATIVES

## SB 1173

schools; bonds; overrides; funding sources

Sponsors: Senators Yee, Griffin, Lesko, et al.

---

**DP** Committee on Education

**X** Caucus and COW

House Engrossed

---

### OVERVIEW

SB 1173 requires school district bond and override election informational materials to include a statement of the total amount of per pupil funding received by a school district.

### HISTORY

Arizona Revised Statutes (A.R.S.) § 15-481 requires a school district governing board to order an override election if a proposed school district budget exceeds the aggregate limit for the budget year. Within 40 days of the election, the county school superintendent is required to prepare and provide an informational report on the proposed increase to the budget to the voters within the school district which includes:

- The total amount of the current year's budget, the total amount of the proposed budget and the total amount of the alternate budget.
- The length of time of the override and the percent of the school district's Revenue Control Limit that the district is requesting.
- The total amount of revenues to fund the increase that derives from a property tax levy in the school district.
- The dollar amount and purpose for the proposed budget increase.

A.R.S. § 15-491 outlines the procedures for a school district bond initiative. The school district governing board or the voters are authorized to call for an election to locate or change the location of school buildings, purchase or sell school sites or buildings or to build school buildings. Within 35 days of the election, the school district governing board is required to provide a publicity pamphlet to the voters that includes:

- A summary of the school district's most recent submitted capital plan.
- A list of each proposed capital improvement that will be funded with bond proceeds.
- A description of the proposed cost of each improvement.
- The tax rate associated with each of the proposed capital improvements.

### PROVISIONS

1. Requires school district budget override election informational reports and bond election publicity pamphlets to include the total amount of funds the school district received from state, local and federal funding sources per pupil for the Fiscal Year.
2. Makes technical changes.



# HOUSE OF REPRESENTATIVES

## SB 1007

state plans; carbon dioxide emissions

Sponsor: Senator Burges

---

**DP** Committee on Energy, Environment and Natural Resources

**X** Caucus and COW

House Engrossed

---

### OVERVIEW

SB 1007 establishes a six-member joint legislative committee to review the proposed Rule 111(d) state plan (plan) prior to submitting the plan to the Environmental Protection Agency (EPA).

### HISTORY

The EPA issued proposed CO<sub>2</sub> reduction standards on June 2, 2014, which requires a nationwide 30% reduction in emissions by 2030 from 2005 CO<sub>2</sub> levels (EPA-HQ-OAR-2013-0602). The state-specific proposal requires the environmental authority in each state to update their state implementation plan (SIP) to meet the reduction goal. The proposal provides states up to two years for submission of their SIP and up to 15 years for full implementation of reduction measures, after the SIP is approved by the EPA. States that opt for a regional or multistate plan will have up to three years to submit a plan to the EPA. The rule as proposed would require Arizona to achieve a 52% reduction in CO<sub>2</sub> emissions, the second highest reduction goal in the nation. The Rule 111(d) is expected to be finalized in the summer of 2015.

Section 111 of the Clean Air Act (Act) requires the EPA to develop regulations for categories of sources which cause or significantly contribute to air pollution, which may endanger public health or welfare. Section 111(d) of the Act requires states to develop Section 111(d) plans for existing sources of pollutants, which are subject to EPA review and approval.

Arizona Revised Statutes § 49-191 prohibits state agencies from adopting or enforcing a state or regional program to regulate greenhouse gas emissions without legislative approval.

### PROVISIONS

#### *Joint Legislative Review Committee on State Plans Relating to CO<sub>2</sub> Emissions from Existing Power Plants (Committee)*

1. Establishes the Committee with the following members:
  - a. The chair of the Senate Water & Energy Committee, or its successor committee;
  - b. The chair of the House Energy, Environment and Natural Resources Committee, or its successor committee;
  - c. Two members of the Senate, appointed by the President, representing different political parties; and
  - d. Two members of the House, appointed by the Speaker, representing different political parties.
2. Designates the chairs of the Senate Water & Energy and the House Energy, Environment and Natural Resources committees as co-chairs of the Committee.
3. Allows the Committee to meet as often as deemed necessary.
4. Specifies that a majority of members constitutes a quorum.
5. Sunsets the Committee on July 1, 2018.

6. Requires the Committee to review the proposed plan within 60 days after the director of ADEQ submits the plan to the Committee, take public comment, and consider whether submission of the plan to the EPA is in the public interest.
7. Allows the Committee to develop factors that may be considered in reviewing the proposed plan, such as:
  - a. Electrical power grid security;
  - b. Availability of natural gas and access to natural gas infrastructure;
  - c. Effects of improved technologies and efficiencies in power generation;
  - d. Effects of exempting existing electric generating plants from further measures;
  - e. The role of stranded costs in the operation of existing or new generating plants;
  - f. Effects on local and the state economy, including impacts on jobs, housing affordability, income and employment levels;
  - g. The impact on the state's ability to attract capital investment, new businesses and to develop and expand existing businesses;
  - h. The relative costs and benefits of the proposed plan;
  - i. Challenges faced by small utilities and electrical cooperative associations;
  - j. Effects on local ratepayers;
  - k. Effects on the customs, culture, history and heritage of Arizona and its communities; and
  - l. Any other factors the Committee deems appropriate.
8. Permits the Committee to review the proposed plan concurrently with any public review.
9. Requires the Legislature to provide staff assistance to the Committee on request of the Speaker and the President.

***Plan; CO<sub>2</sub> Emissions from Power Plants***

10. Requires the director of ADEQ (director) to develop, adopt and enforce the plan and submit a quarterly report to the Committee detailing the progress of developing the plan.
11. Allows the director to participate in multijurisdictional plans or agreements, including agreements or plans with Indian tribes.
12. Requires the director to submit the plan to the Committee 90 days prior to submitting the plan to the EPA and prohibits submitting the plan to the Committee until the EPA adopts the finalized Rule 111(d).
13. Allows the director to submit the plan to the EPA if the Committee fails to review the plan in a timely manner.
14. Allows the director to adopt rules in order to develop, adopt and enforce the plan and exempts these rules from Governor's Regulatory Review Council approval.
  - a. The director must notify the Committee of any proposed rule submitted to the Administrative Register.
13. Specifies the submission of a plan to the EPA does not impair the ability of affected state agencies to challenge the lawfulness of the federal regulation and does not constitute a waiver of claims.



# HOUSE OF REPRESENTATIVES

SB 1182

candidate petition signatures; electronic qualification

Sponsor: Senator Ward

---

**DP** Committee on Elections

**X** Caucus and COW

House Engrossed

---

## OVERVIEW

SB 1182 allows candidates to collect all, instead of up to half, of their nomination petition signatures, required contribution qualification forms, or both online.

## HISTORY

Laws 2011, Chapter 332 provided a temporary pilot project which authorized the Secretary of State (SOS) to establish a method for registered voters to sign a nomination petition and a Clean Elections \$5 donation qualification form for a candidate by way of a secure internet portal for petitions for statewide and legislative offices.

Laws 2014, Chapter 45 codified the pilot program. The system provided by the SOS must allow only those qualified electors who are eligible to sign a petition for a particular candidate to sign the petition and only those qualified electors who are eligible to give a \$5 qualifying contribution to do so. The SOS shall provide a method for the qualified elector's identity to be properly verified. Currently, candidates may choose to collect up to half of the required nomination petition signatures, up to half of the required contribution qualification forms, or both, by use of the online system.

In 1998, voters passed Proposition 105 which made changes to the Arizona Constitution relating to the powers of initiative and referendum. Specifically, Proposition 105 prohibits the Governor from vetoing, and the Legislature from repealing, any voter approved measure. Additionally, Proposition 105 requires any changes by the Legislature to a voter approved initiative or referendum to further the purpose of the measure and receive at least three-fourths vote of the Legislature for enactment.

## PROVISIONS

1. Allows candidates to collect all or any lesser amount, instead of up to half, of their nomination petition signatures, required contribution qualification forms, or both online.
2. Contains a Proposition 105 clause.
3. Makes technical and conforming changes.



# HOUSE OF REPRESENTATIVES

## SB 1090

neutrality agreement; apprenticeship agreement; prohibition

Sponsor: Senator Kavanagh

---

**DP** Committee on Government & Higher Education

**X** Caucus and COW

House Engrossed

---

### OVERVIEW

SB 1090 prohibits government entities from requiring contractors to enter into neutrality agreements or participate in United States Department of Labor (USDOL) apprenticeship programs in conjunction with contracts for public works and utility construction projects.

### HISTORY

Article 25 of the Arizona Constitution states that no person shall be denied the opportunity to work because of non-membership in a labor organization. Additionally, the state and any political subdivision, along with any corporation, individual or association, are prohibited from entering into an agreement to exclude any person from employment due to non-membership in a labor organization. Arizona Revised Statutes (A.R.S.) Title 23, Chapter 8, Article 1 contains the corresponding statutory provisions. A.R.S. § 23-1301 defines a *labor organization* as an organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment or other conditions of employment.

In 1937, Congress enacted the National Apprenticeship Act which established the USDOL Registered Apprenticeship Program (Program). The Arizona Commerce Authority is designated as the state registration agency for apprenticeship functions prescribed by the federal government (A.R.S. § 41-1504). The Program is administered by the Department of Economic Security (DES) through a memorandum of understanding. An apprentice, as an employee, receives supervised, structured, on-the-job work experience combined with related technical instruction in a specific occupation. The Program takes one to six years to complete, depending on the occupation. According to USDOL, in fiscal year (FY) 2014, there were 2,820 active apprentices and 1,062 new apprentices in Arizona, working in 104 programs. 459 apprentices completed the program in FY 2014. There are over 1,000 apprentice-able occupations; the top ten occupations in FY 2014 were electrician, carpenter, plumber, construction craft laborer, pipe fitter (construction), sheet metal worker, structural steel/ironworker, line maintainer, roofer and pipe fitter (sprinkler fitter).

### PROVISIONS

1. Prohibits agencies or political subdivisions from requiring, in any public works contract, a contractor, subcontractor, material supplier or carrier to:
  - a. Enter into a neutrality agreement with a labor organization;
  - b. Participate in or contribute to an apprenticeship program registered with the USDOL;As a condition or a factor in bidding, negotiating, being awarded or performing work on a public works contract.

2. Prohibits the Power Plant and Transmission Line Siting Committee, in considering whether to issue certificate of environmental compatibility for a project, from requiring a contractor, subcontractor, material supplier or other person engaged in the project to participate in:
  - a. A neutrality agreement
  - b. An apprenticeship program
  - c. An apprenticeship program contribution agreement
3. Defines *neutrality agreement* as including an agreement to:
  - a. Remain neutral toward any labor organization;
  - b. Release private employee information not required by federal law;
  - c. Allow access to property beyond what is required by federal labor law;
  - d. Recognize a labor organization without a secret ballot election.



# HOUSE OF REPRESENTATIVES

SB 1393

delayed birth certificates; Native Americans

Sponsors: Senators Begay; Shooter

---

**DP** Committee on Government & Higher Education

**X** Caucus and COW

House Engrossed

---

## OVERVIEW

SB 1393 requires the State Registrar of Vital Records (Registrar) to establish documentation requirements for delayed birth certificates for Native Americans born before 1970.

## HISTORY

Arizona Revised Statutes (A.R.S.) § 36-302 designates the director of the Arizona Department of Health Services (DHS) as the Registrar. The Registrar's statutory duties include overseeing the creation, registration, and requisition of vital records.

Current statute stipulates that if the birth certificate of an individual born in Arizona has not been registered within a year of the date of birth, the individual may submit information and evidentiary documents to support the creation of a delayed birth certificate. The information and evidentiary documents may be waived by the Registrar for a birth that occurred before 1970. (A.R.S. § 36-333.02)

## PROVISIONS

1. Requires the Registrar to establish documentation requirements for Native Americans requesting delayed birth certificates who were born before 1970.
2. Requires the Registrar to review documents that do not meet these established requirements and determine whether to create and register a delayed birth certificate.
3. Exempts the DHS from the rulemaking requirements for one year and requires DHS to provide public notice and opportunity for public comment at least 30 days before adopting or amending rules.



# HOUSE OF REPRESENTATIVES

SB 1258

medical board; affiliation verification; rulemaking

Sponsor: Senator Ward

---

**DPA** Committee on Health

**X** Caucus and COW

House Engrossed

---

## OVERVIEW

SB 1258 makes changes to the statutes for the Arizona Medical Board (AMB).

## HISTORY

Laws 1913, Second Special Session, Chapter 17 established the AMB which regulates the practice of allopathic medicine through licensure and complaint investigation and resolution related to medical doctors. The primary duty of the AMB is to protect the public from the unlawful, incompetent, unqualified, impaired or unprofessional practitioners of allopathic medicine through licensure, regulation and rehabilitation of the profession in the state. The AMB consists of 12 members who serve five year terms and members are eligible to receive compensation in the amount of \$250 per day for each day of service and related expenses.

Arizona Revised Statutes § 32-1405 outlines the Executive Director's duties. Included therein are items such as the duty to employ, evaluate, dismiss, discipline and direct professional, clerical, technical, investigative and administrative personnel necessary to carry out the work of the AMB. Statute also permits the Executive Director to issue licenses, registrations and permits, manage the Board's offices along with numerous other duties. A.R.S. § 32-1422 sets forth basic requirements for licensure.

## PROVISIONS

1. Requires the Executive Director to submit to the medical consultant only those medical complaints that involve a standard of care issue and that require medical training and expertise to determine whether a violation has occurred.
2. States that the AMB must accept a verification by electronic or hard copy from the applicant's employer, if employed by a hospital or medical group or organization for all hospital affiliations and medical employment for the previous five years.
3. Provides a rule making exemption for the AMB for one year after the effective date of the act to adopt rules relating to the implementation of this act and licensure and credentialing. The AMB must provide public notice and an opportunity for public comment on proposed rules at least 30 days before a rule is adopted or amended.
4. Requires the AMB to issue a request for information for proposals to outsource any or all of the credentialing or verification process related to licensure.

## Amendments

### **Committee on Health**

1. Clarifies that the AMB must issue a request for information to vendors for the sole purpose of seeking information about the availability in the commercial marketplace of materials or services to outsource any or all of the credentialing or verification process related to licensure.

2. States the AMB is not required to outsource any or all of the credentialing or verification process related to licensure.
3. Makes technical and conforming changes.



# HOUSE OF REPRESENTATIVES

SB 1283

outpatient treatment centers; colocation; respite

Sponsor: Senator Barto

---

**DPA** Committee on Health

**X** Caucus and COW

House Engrossed

---

## OVERVIEW

SB 1283 outlines requirements for the co-location of health care, behavioral health care or counseling service facilities.

## HISTORY

Laws 1973, Chapter 158, established the Arizona Department of Health Services (ADHS). The mission of ADHS is to utilize direct care, science, public policy and leadership to set the standard for personal and community health. The governor appoints the director of ADHS who is responsible for the direction, operation and control of the department. ADHS consists of several divisions including the Division of Behavioral Health Services, the Division of Public Health Services and the Division of Licensing Services (Division). The Division licenses and monitors health, child care facilities and providers throughout Arizona. Licensing inspections, on-site surveys and complaint investigations are conducted to promote quality care and safety and ensure performance standards are met for facility operation and maintenance.

Arizona Revised Statutes (A.R.S.) § § 36-401 and 36-402 provides definitions for terms relating to health care institutions subject to licensure by ADHS and outlines facilities that are exempt from ADHS licensure, supervision, regulation or control.

## PROVISIONS

1. Requires the director, by rule, to adopt licensing provisions that facilitate the co-location and integration of outpatient treatment centers that provide medical, nursing and health-related services with behavioral health services.
2. Provides that one or more outpatient treatment center licensees that provide medical, nursing and health-related services may co-locate with one or more licensees that provide behavioral health services or with one or more licensed counseling facilities and may share common areas at the collaborating outpatient treatment center premises and share non-treatment personnel.
3. Directs co-locators at a collaborating outpatient treatment center to:
  - a. Designate which outpatient treatment center will act as the collaborating outpatient treatment center and be liable and responsible for the health, safety cleanliness and maintenance of all common areas and the supervision and training of all shared non-treatment personnel utilizing written policies of the collaborating outpatient treatment center;
  - b. Designate which areas are considered common areas and which personnel are designated as shared non-treatment personnel;
  - c. Designate the associated licensed providers; and
  - d. Ensure that medical records that are located in common areas or shared by co-locators are maintained pursuant to federal and state confidentiality laws. A co-locator may have access to a patient's medical records only if the patient has consented.

4. Asserts that co-locators must solely maintain and use treatment areas that are designated pursuant to each of their respective licenses and may not use another co-locator's treatment areas except as follows:
  - a. For the provision of emergency services; and
5. During hours of operation by a co-locator that are clearly identified by signage to the public and notice to ADHS.
6. States the governing authority of a licensed collaborating outpatient treatment center, by agreement, may share common areas and may share non-treatment personnel with one or more exempt health care providers or one or more licensed counseling facilities.
7. Specifies that treatment areas that are licensed under an outpatient treatment center may also be used by an exempt health care provider if the provider's treatment areas and hours of operation are clearly identified by signage to the public and notice to ADHS.
8. Allows an outpatient treatment center to contract with or employ an exempt health care provider to provide health care services to the outpatient treatment center's patients.
9. Exempts, ADHS from the rule making requirements, for purposes of implementing this act until April 15, 2016. ADHS must provide public notice and an opportunity for public comment on proposed rules at least 30 days before the rules are adopted or amended.
10. Requires the director of ADHS to consider the adoption of, and amendment to, rules relating to the licensing of behavioral health residential facilities, outpatient treatment centers and behavioral health respite homes. For this purpose ADHS is exempt from the rulemaking requirements until April 15, 2016. ADHS must provide public notice and an opportunity for public comment on proposed rules adopted or amended at least 30 days before the adoption or amendment. In adopting the rules, the director must:
  - a. Provide for the use outpatient treatment centers for the provision of respite care for children receiving behavioral health services pursuant to rules adopted by ADHS; and
  - b. Allow children who are receiving behavioral health services to receive respite care in a behavioral health residential facility without a nursing assessment or physical examination if the child will be receiving respite services for fewer than five consecutive days at the facility.
11. Defines *associated licensed provider, collaborating outpatient treatment center, co-locator, common areas, emergency health care services, exempt health care provider, non-treatment personnel* and *treatment areas*.
12. Contains an emergency clause.

#### **Amendments**

##### **Committee on Health**

1. Modifies the definition of *common area*.
2. Clarifies with whom a provider may co-locate.



# HOUSE OF REPRESENTATIVES

**SB 1064**

service of process; regulation

Sponsors: Senator Kavanagh

---

**DP** Committee on Judiciary

**X** Caucus and COW

House Engrossed

---

## **OVERVIEW**

SB 1064 prescribes rules for alternative or substitute service of process for photo enforcement notices of violation.

## **HISTORY**

Service of process within Arizona is governed by the Rules of Civil Procedure. Rule 4.1(d) specifies the law regarding service of summons upon individuals. Specifically, service upon an individual from whom a waiver has not been obtained and filed shall be effected by delivering a copy of the summons and of the pleading to that individual personally or by leaving copies at the individual's dwelling house or usual place of abode with some person of suitable age (16 or older) and discretion then residing therein or by delivering a copy of the summons and of the pleading to an agent authorized by appointment or by law to receive service of process.

Alternative or substitute service is permitted when other means set forth in court rule proves impracticable, then service may be accomplished in such manner, other than by publication, as the court, upon motion and without notice, may direct. The rule (4.1(k)) specifies that whenever the court allows an alternate or substitute form of service, reasonable efforts shall be undertaken by the party making service to assure that the actual notice of the commencement of the action is provided to the person to be served and the summons and the pleading to be served, as well as any order of the court authorizing an alternative method of service, shall be mailed to the last known business or residence address of the person to be served.

Rule 4(i) specifies that if service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, upon motion or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified time; provided that if the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period.

## **PROVISIONS**

1. Transfers section of law relating to private process servers from Arizona Revised Statutes Title 11 to Title 12.
2. Requires alternative or substitute service of process of a photo enforcement notice of violation to be:
  - a. Sent by certified and regular mail; and
  - b. Posted on the front door of the business or residence of the person to be served and a residence's garage door if present and accessible.
3. Specifies that service of the complaint is complete on filing the mailing receipt and proof of posting with the court that has jurisdiction of the violation.

4. Makes technical and conforming changes.



# HOUSE OF REPRESENTATIVES

SB 1404

health care directives; conflicts

Sponsors: Senators Yee, Farnsworth D, Kavanagh, et al.

---

**DP** Committee on Judiciary

**X** Caucus and COW

House Engrossed

---

## OVERVIEW

SB 1404 presumes that a health care directive, the decision of the patient's agent or surrogate represents the decision of the patient if there is a conflict with a provider's order.

## HISTORY

Arizona Revised Statutes (A.R.S.) § 36-3209 was added by Laws 1985, Chapter 199, § 2. Current law declares that the most recent directive is deemed to represent the wishes of the patient in the event of any conflict among the provisions of valid health care directives.

A.R.S. § 36-3231 mandates a health care provider make a reasonable effort to locate and follow a health care directive and consult with a surrogate if a patient is unable to communicate treatment decisions. A surrogate is either a health care power of attorney meeting the requirements of A.R.S. § 36-3221 or a court-appointed guardian for the purpose of making treatment decisions. If neither of these persons are available, the health care provider shall contact the patient's spouse, adult child, parent, domestic partner, sibling, or close friend to determine who is available and willing to serve as the patient's surrogate in accordance with the patient's known wishes. Given these efforts are null, the patient's attending physician may make the patient's treatment decisions upon obtainment of the recommendations of an institutional ethics committee or upon consulting with a second physician.

A.R.S. § 36-3203 allows an individual to authorize a person to serve as their agent or surrogate to make future health care decisions in accordance with the individual's health care directive in the event the individual becomes incapacitated and unable to make such decisions. Given sufficient information is unavailable in the health care directive to have knowledge on the patient's medical wishes, the agent or surrogate shall base their decision on their knowledge of the patient's values. If these values are unknown to the agent or surrogate, the agent or surrogate shall make the decision on their own good faith. Pursuant to A.R.S. § 36-3291, the Arizona Secretary of State establishes and maintains a health care directives registry.

## PROVISIONS

1. Specifies that a health care directive, the decision of the patient's agent or surrogate represents the decision of the patient if there is a conflict with a provider's order.



# HOUSE OF REPRESENTATIVES

SB 1439

judicially appointed psychologists; complaints

Sponsor: Senator Smith

---

**DPA** Committee on Judiciary

**X** Caucus and COW

House Engrossed

---

## OVERVIEW

SB 1439 removes the requirement that the Board of Psychology (Board) shall not consider a complaint against a judicially appointed psychologist for unprofessional conduct unless the court has found a substantial basis to refer the complaint for consideration by the board.

## HISTORY

Arizona Revised Statutes § 32-2081 was added by Laws 1991, Chapter 119, § 3. Current law allows the Board, on its own motion, to investigate evidence that appears to show that a psychologist is psychologically incompetent, guilty of unprofessional conduct or mentally or physically unable to safely engage in the practice of psychology. Additionally, a health care institution is required to, along with any other person who may, report to the Board information that appears to show that a psychologist is psychologically incompetent, guilty of unprofessional conduct or mentally or physically unable to safely engage in the practice of psychology. This section also excludes the Board from considering a complaint against a psychologist arising out of a judicially ordered evaluation, treatment or psychoeducation of a person charged with violating any provision in Title 13, Chapter 14 to present a charge of unprofessional conduct unless the court ordering the evaluation has found a substantial basis to refer the complaint for consideration by the Board.

## PROVISIONS

1. Removes the provision that the Board shall not consider a complaint against a judicially appointed psychologist arising out of a court ordered evaluation, treatment or psychoeducation of a person to present a charge of unprofessional conduct unless the court ordering the evaluation, treatment or psychoeducation has found a substantial basis to refer the complaint for consideration by the board.

## AMENDMENTS

Committee on Judiciary

1. Specifies that a charge of unprofessional conduct brought on or after the effective date of this section against a psychologist arising out of court-ordered services shall be independently reviewed by three members of the Board.
2. If any member believes there is merit to open an investigation, an investigation shall be opened.
3. Prohibits the Board from considering a complaint for administrative action if the complaint is against a member, staff, agent or consultant of the Board if the complaint relates to the person's performance of Board duties.



# HOUSE OF REPRESENTATIVES

HB 2501

women veteran special plates

Sponsors: Representatives Larkin, Hale, Wheeler, et al.

---

**DP** Committee on Military Affairs and Public Safety

**W/D** Committee on Transportation and Infrastructure

**X** Caucus and COW

House Engrossed

---

## OVERVIEW

HB 2501 restricts the sale of women veteran special plates to individuals who provide certain identifying information.

## HISTORY

The Arizona Department of Transportation (ADOT) issues standard Arizona vehicle license plates as well as special license plates for a variety of causes and organizations. The fee for obtaining or renewing a special license plate is \$25 (Arizona Revised Statutes [A.R.S.] § 28-2402).

The Veterans' Donations Fund is administered by the Department of Veterans' Services (DVS) and consists of monies, gifts, and contributions donated to DVS, monies deposited from military and veteran special plate fees, and tax refund donations. DVS determines the design and color of the women veteran special plates, subject to approval by ADOT, and pays an initial cost of \$32,000 to ADOT to create the women veteran special plates (A.R.S. § 28-2447). \$8 of the special plate fee is collected by ADOT and the remaining \$17 is deposited into a Veterans' Donations Fund subaccount to provide grants to benefit women veterans in Arizona which includes providing shelter to homeless women veterans (A.R.S. § 41-608).

## PROVISIONS

1. Restricts ADOT from issuing women veteran special plates to anyone other than:
  - a. a person who submits proof that the person is a veteran; or
  - b. an immediate family member of a person who has previously been issued a women veteran special plate.
2. Makes conforming changes.



# HOUSE OF REPRESENTATIVES

SB 1296

spousal maintenance; veterans disability benefits

Sponsor: Senator Smith

---

**DP** Committee on Military Affairs and Public Safety

**X** Caucus and COW

House Engrossed

---

## OVERVIEW

SB 1296 specifies that a court may award spousal maintenance to a requesting party, which is defined as the person who filed the motion for spousal maintenance.

## HISTORY

The Maricopa County Superior Court describes spousal maintenance, or alimony, as the money that is paid by one spouse to the other as part of the divorce decree. The payment is designed as a safeguard for a spouse who otherwise would be unable to provide for their needs or who meets other requirements under the law. A judge determines spousal maintenance by the length of the marriage, the age and earning ability of the spouse who is asking for maintenance, the standard of living the parties enjoyed during the marriage, the ability of the other spouse to pay, and what the person who is asking for the maintenance contributed to the marriage. The amount is determined by what the judge considers to be a reasonable deduction from the monthly income of the paying spouse and a reasonable monthly payment to the receiving spouse.

Service-connected disability compensation is a monetary benefit paid to veterans who are determined by the U.S. Department of Veterans Affairs (VA) to be disabled as the result of an injury or illness that was incurred or aggravated during active military service. Combat-Related Special Compensation (CRSC) is a U.S. Department of Defense program that provides a tax-free monthly payment to eligible retired veterans with combat related disabilities. CRSC restores retired pay lost due to the VA disability compensation offset (Title 10 U.S.C. § 1413a).

Laws 2010, Chapter 70 added that in determining whether to award spousal maintenance or the amount of any award of spousal maintenance, the court may not consider any federal disability benefits awarded to the other spouse for service-connected disabilities pursuant to Title 38 U.S.C. Chapter 11. Laws 2014, Chapter 239 amended this provision to also include CRSC.

## PROVISIONS

1. Specifies that the court may award spousal maintenance or the amount of any award of spousal maintenance to a requesting party.
2. Defines *requesting party* as a person who filed a motion for spousal maintenance.



# HOUSE OF REPRESENTATIVES

## SB 1300

law enforcement officers; body cameras

Sponsor: Senator Kavanagh

---

**DPA** Committee on Military Affairs and Public Safety

**X** Caucus and COW

House Engrossed

---

### OVERVIEW

SB 1300 specifies the conditions under which a law enforcement officer body camera may be used and establishes the Law Enforcement Body Camera Study Committee (Study Committee).

### HISTORY

SB 1300 defines *law enforcement officer body camera* as a video and audio recording device that is worn on the body of a law enforcement officer. The National Conference of State Legislatures identified 30 states in which legislation relating to body cameras worn by law enforcement officers is under consideration for 2015. Additionally, federal legislation has been introduced in both 2014 and 2015 that would establish a grant program for the acquisition, operation, and maintenance of body cameras worn by law enforcement officers.

### PROVISIONS

#### *Body Camera Recordings*

1. Restricts a law enforcement agency from using a body camera that operates on a continuous basis.
2. Specifies that a body camera that continuously records but only retains up to two minutes of video when activated is not operating on a continuous basis.
3. Stipulates that if an agency provides an officer with a body camera, the officer must control the operation of the body camera and the following situations must be recorded unless prohibited by law:
  - a. a service call;
  - b. a traffic stop;
  - c. when making an arrest;
  - d. when stopping a person whose behavior or actions are suspicious;
  - e. while having any contact with an emotionally disturbed person;
  - f. when the officer believes the situation may generate a civil complaint;
  - g. any activity that is likely to lead to a criminal or civil court action;
  - h. any activity in which all of the involved parties consent to the recording and the recording is not prohibited by law or the agency's policies; and
  - i. any time that the officer believes a situation may turn into a situation listed above.
4. Directs an officer to turn off the body camera when the officer believes the situation has concluded.
5. Requires an officer to notify the agency if he or she forgets to turn off the body camera and states that this recording may not be viewed.
6. Permits an officer to turn off the body camera if the officer is having a conversation with a person who is not the suspect or object of a law enforcement action, upon request. The officer is required to announce that the body camera is being turned off at the person's request.

7. Permits an officer to turn off the body camera during a conversation between officers relating to the handling of an incident, including information about involved parties and action options, unless prohibited by law or the agency's policies. The officer is required to announce that the body camera is being turned off.
8. Permits an officer to turn off the body camera when the suspect or object of a law enforcement action makes a recorded request that the body camera be turned off and the officer consents, unless prohibited by law or the agency's policies. The officer is required to announce that the body camera is being turned off and to turn the body camera back on if the situation escalates beyond a discussion or involves law enforcement action, shouting or violence. The body camera may not be turned off during an investigation of a domestic violence offense if the agency has a written policy that requires the recording.
9. Permits an officer to turn off the body camera during a conversation or activity that is unrelated to the situation, such as a personal conversation or the use of restroom facilities.

***Use of the Recording, Public Records Disclosure, and Civil Action***

10. Allows a recorded incident that involves a law enforcement activity or the handling of an emotionally disturbed person to be saved and used for training purposes, which may only be viewed by officers, recruits, reserve officers, posse members, volunteer officers, dispatchers, and consultants or outside training personnel as applicable.
11. Stipulates that a body camera recording and related data is not subject to public records disclosure.
12. Permits an agency to release part or all of a recording to the public only if the public's need to view the recording outweighs privacy or confidentiality interests or the best interests of the state, the release will not interfere with or compromise an investigation, and the request is not burdensome or harassing.
13. Specifies that a person's right to avoid public embarrassment outweighs the public's right to view the recording for entertainment purposes.
14. Provides a person with the ability to file action in superior court to release the recording if the agency does not consent to the release.
15. Requires the superior court to review whether the agency's determination was valid.
16. Allows the superior court to award attorney fees and other legal costs reasonably incurred in the action if the person who filed the action prevails.
17. States that a person who is wrongfully denied access to the recording has a cause of action against the agency for damages related to the denial.

***Study Committee***

18. Establishes the Study Committee with the following members:
  - a. a Senator who is appointed by the Senate President and a Representative who is appointed by the Speaker of the House of Representatives who serve as co-chairs;
  - b. a police chief who is appointed by the Governor;
  - c. a county sheriff who is appointed by the Governor;
  - d. a faculty member in a criminal justice program at an Arizona public university who is appointed by the Governor;
  - e. a representative from a news gathering organization who is appointed by the Governor;
  - f. a state prosecutor who is appointed by the Arizona Prosecuting Attorneys' Advisory Council;
  - g. three members of a police association who are appointed by the Governor;
  - h. two attorneys who are members of the State Bar of Arizona, one of whom represents a group that promotes civil liberties, who are appointed by the Governor; and
  - i. two public members who are Arizona residents, one of whom is associated with a civil rights association, who are appointed by the Governor.

19. Requires the Study Committee to recommend policies and laws on the use of body cameras and body camera recordings.
20. Allows the Study Committee to:
  - a. request information, data, and reports from a county or state agency or a political subdivision and specifies that the information must be provided electronically when possible; and
  - b. hold hearings, conduct fact-finding tours, and receive testimony from witnesses, which includes participants in the criminal justice system, who may also assist the Committee with its purpose.
21. Directs state agencies to provide the Study Committee with its services, equipment, documents, personnel, and facilities to the extent possible and at no cost to the Study Committee.
22. Requires the Legislature to provide staff and support services to the Study Committee.
23. Stipulates that the Study Committee must meet at the State Capitol or other places as deemed necessary or convenient by the Committee co-chairs.
24. States that all Study Committee meetings are open to the public.
25. Specifies that Study Committee members are not eligible for compensation; however the members are eligible for reimbursement of expenses.
26. Requires the Study Committee to submit a report on its findings and recommendations, including its recommendations on the use of body cameras in Arizona, to the Governor, the Speaker of the House of Representatives, and the President of the Senate by the end of calendar year 2015. A copy of the report must be transmitted to the Secretary of State.
27. Repeals the Committee on July 1, 2016.

#### **AMENDMENTS**

##### **Committee on Military Affairs and Public Safety**

1. Removes all provisions except those establishing the Study Committee.
2. Adds the Director of the Department of Public Safety or the Director's designee to the Study Committee.



# HOUSE OF REPRESENTATIVES

## SB 1373

criminal justice information; access

Sponsor: Senator Kavanagh

---

**DP** Committee on Military Affairs and Public Safety

**X** Caucus and COW

House Engrossed

---

### OVERVIEW

SB 1373 requires the Department of Public Safety (DPS) to provide a law enforcement agency with access to case information it receives from the Supreme Court for the purpose of enforcing a court order, assisting in an investigation, or returning property.

### HISTORY

Laws 2014, Chapter 261 established requirements relating to the transfer of criminal justice information to the National Instant Criminal Background Check System (NICS), which is used by federal firearms licensees to determine whether a person who applies to purchase a firearm is a prohibited possessor. Arizona Revised Statutes (A.R.S.) §§ 13-609 and 36-540 require a court to transmit the case information for a person who is found to be incompetent or subsequently competent, guilty except insane, or subject to court-ordered mental health treatment and a danger to him- or herself or others to the Supreme Court. The Supreme Court transmits the case information to DPS, and DPS subsequently transmits the case information to NICS. The laws specify that on request, the originating court must provide copies of the order to a law enforcement or prosecuting agency that is investigating or prosecuting a prohibited possessor. The transfer of case information also applies when a court appoints a guardian to an individual due to mental incapacity or when the mental incapacity is terminated (A.R.S. §§ 14-5304 and 14-5307).

*Case information* is defined as a person's name, sex, date of birth, the last four digits of the person's social security number or the person's social security number as applicable and if available, the court case number, the court originating agency identification number, and as applicable, the date of the person's order for mental health treatment or guardian appointment.

### PROVISIONS

1. Requires DPS to provide the case information it receives from the Supreme Court associated with the types of cases listed below to a law enforcement agency for the purpose of enforcing a court order, assisting in an investigation, or returning property:
  - a. persons found to be incompetent or subsequently competent or guilty except insane;
  - b. orders for mental health treatment; and
  - c. orders relating to mental incapacity.



# HOUSE OF REPRESENTATIVES

SB 1133

TPT; municipalities; customer refund claims

Sponsor: Senator Lesko

---

**DP** Committee on Ways and Means

**X** Caucus and COW

House Engrossed

---

## OVERVIEW

SB 1133 outlines the process for a customer to file a claim for a transaction privilege tax (TPT) refund.

## HISTORY

Pursuant to Arizona Revised Statutes (A.R.S.) § 42-5061 businesses in the retail classification for TPT purposes engage in selling tangible personal property at the retail level. The TPT base for retail classifications is the gross sale proceeds or gross income from sales transactions. This statute further prescribes certain sale items that are exempt from TPT.

Use tax is assessed on items purchased in other states and brought into Arizona for storage, use, or consumption, and for which no tax or lesser tax has been paid in another state. The use tax serves to protect Arizona retailers from out-of-state competition by attempting to ensure that in-state and out-of-state purchases are taxed at an equal rate. A.R.S. § 42-5159 provides for use tax exemptions.

A.R.S. § 42-1118 allows the Department of Revenue (DOR) to refund taxes, interest or penalties assessed in excess of amounts actually due to a taxpayer. Where overpayments cannot be credited towards other penalties or interest owed by the taxpayer, DOR can completely refund the entire overpayment in installments or in a lump sum, issue a voucher to apply towards future tax liabilities or issue a refund in part and a credit voucher towards the remaining overpayment balance.

## PROVISIONS

### *TPT Claims*

1. Permits a vendor, in the case of TPT, to claim a refund from DOR.
2. Permits a customer who paid an amount equal to a state or municipal TPT that was passed on by the vendor or who paid use tax to a vendor to file a claim for an amount equal to any tax and interest that the vendor could otherwise claim.
3. States that any claim by a customer is in lieu of the vendor claiming a refund for the underlying tax and that if a claim is paid, only the customer may be held liable for any amount erroneously paid or credited to the customer.
4. Outlines the manner in which customers may file claims through an affirmative assignment of rights by the vendor to the customer using a form prescribed by DOR.
5. Permits a customer to provide DOR with a form explaining their efforts to obtain an assignment if the vendor fails or refuses to properly assign its right to a claim within 60 days of the customer's written request to the vendor or if the vendor is no longer in business.
6. States that if a claim is filed, DOR must attempt to notify the vendor of the claim.

7. Requires DOR to continue processing a claim after receiving written acknowledgment from the vendor affirming the accuracy of the information regarding the transactions provided by the customer.
8. Requires DOR, regarding the payment of credit of monies to a customer pursuant to a claim, to amend the vendor's returns or account to reflect the amount paid or credited to the customer.
9. States that if the vendor objects to the claim or fails to respond within 30 days, DOR may continue to process the claim, and on paying or crediting monies to the customer, DOR must amend the vendor's returns or account to reflect the amount paid or credited to the customer and notify the vendor of the adjustment.
10. Permits DOR, notwithstanding any other law to the contrary, to communicate with the vendor regarding the customer's claims.
11. States that a submitted claim is subject to any offset, defense or other claim that DOR has against either the customer or the vendor.
12. Restricts DOR from requiring the vendor or customer to submit amended returns for a claim submitted pursuant to this Act.
13. States, notwithstanding any law to the contrary, DOR may disallow a claim filed by a customer if DOR already paid or credited a TPT or use tax refund from the same transaction.
14. Outlines various requirements that DOR must include in forms regarding TPT refunds.
15. States that if DOR disallows a claim:
  - a. DOR must notify the customer and the vendor.
  - b. DOR's action is final unless the customer files an appeal to DOR.

#### ***Provisions Specific to State TPT Claims***

16. Allows interest to be paid with respect to any amount refunded from the date the claim is accepted through the date of the credit or payment of the claim.
17. Permits DOR to disclose vendor information to a customer in order for the customer to pursue a claim.
18. States that a person in connection with a claim pursuant to this Act, that is a prevailing party, may be reimbursed for reasonable fees and other costs related to an administrative proceeding that is brought by or against DOR.

#### ***Provision specific to Municipal TPT Claims***

19. Requires municipal TPT claims to be made to the tax collector of the city or town where the original tax was paid.
20. Prohibits the tax collector from refusing to process valid claims and allows the customer, in cases where a valid claim is refused by a tax collector, to consider the refusal as a denial of the claim and to file a petition for a hearing.
21. Outlines the process for a denial of a claim.
22. Stipulates that tax paid on an activity that is not subject to tax or that qualifies for an exemption is not considered as excess collected tax.
23. Requires that interest on a claim be paid to the customer making a claim and reasonable fees and other costs related to administrative processing to a successful customer appeal if the tax collector's position was not justified, was brought for the purpose of harassment or the frustration of the claim process.

#### ***Miscellaneous***

24. Defines various terms.

25. Makes technical and conforming changes.



# HOUSE OF REPRESENTATIVES

SB 1135

tax liens; delinquency; partial payments.

Sponsor: Senator Smith

---

**DPA** Committee on Ways and Means

**X** Caucus and COW

House Engrossed

---

## OVERVIEW

SB 1135 requires treasurers in counties with an established elderly assistance fund (EAF) to accept partial payments for delinquent taxes and to issue subsequent year certificates of purchase (CPs) for unpaid delinquent taxes.

## HISTORY

Pursuant to Arizona Revised Statutes (A.R.S.) § 42-17401 an EAF must be established by the board of supervisors in counties with populations exceeding two million people. EAFs are used to reduce the primary school district tax rates for elderly persons who qualify for the property valuation protection option under Article IX, Section 18 of the Arizona Constitution.

A.R.S. §§ 41-18101 and 41-18104 state that a county treasurer must secure unpaid delinquent tax payments by selling tax liens at an aggregate amount equal to all unpaid taxes, penalties, interest and charges due on the property for which taxes are delinquent. Tax lien purchasers are awarded a CP, and the CP bears interest at the bid rate beginning the first day of the month following the lien's sale. In order to redeem a property tax lien, the person owing back taxes must pay the county treasurer all fees, including taxes, interest and charges accrued on the property within three years of a CP being issued. If the county in which the lien is being redeemed has an EAF, the county treasurer must deposit an amount equal to the difference between the CP interest rate and 16%, as provided by A.R.S. §§ 42-18153 and 42-18053.

## PROVISIONS

1. Requires county treasurers, in counties with an established EAF, to accept partial delinquent tax payments in an amount to equal at least 25% the principal amount plus any accrued interest and fees.
2. Requires county treasurers, in counties with an established EAF, to issue receipts for partial delinquent tax payments to the taxpayer and to the CP holder showing the principal, interest and fee amounts allocated to the CP and the amounts allocated to the EAF
3. States that county treasurers, in counties with an established EAF, must credit the taxpayer for delinquent payments and the remaining delinquency amount relates only to the amount remaining unpaid.
4. Requires county treasurers, in counties with an established EAF, to issue separate certificates of purchase for each subsequent year's taxes, accrued interest and related fees bearing the same interest rate as the original CP.
5. Stipulates that county treasurers cannot accept partial payments after an action to foreclose has been initiated.
6. States that subsequent CPs carry the full foreclosure right as the original and may be redeemed separately or in whole.

7. Requires county treasurers, in counties with an established EAF, to issue a statement of partial redemption which:
  - a. Describes the parcels on which the tax lien is partially redeemed.
  - b. State the date of partial redemption, amount paid, principal amount remaining due and by whom the lien was partially redeemed.
8. Imposes a fee, to be collected by county treasurers, in the amount of \$5 for each partial payment, or \$10 for a full redemption where no partial payments were made.
9. Imposes a fee, to be collected by county treasurers, in the amount of \$5 for each assignment of a subsequent years CP.
10. States that holders of subsequent year CPs may file to foreclose the right to redeem beginning three years after the date the tax lien would have been offered for sale, but not more than ten years after the last day of the month in which the tax lien was assigned.
11. Removes the requirement stating that persons redeeming a property lien must pay statutory fees paid by the purchaser of the CP, plus interest.
12. Contain a legislative intent clause.
13. Makes technical and conforming changes.

#### **AMENDMENTS**

##### **Committee on Ways and Means**

1. Replaces references to counties with an established EAF with reference to counties having a population of at least 3 Million.
2. Reinstates stricken language stating that persons redeeming a tax lien must pay certain fees paid by the CP holder.
3. Changes requirements regarding the information that must be on receipts issued by county treasurers for delinquent payments.
4. Removes the legislative intent clause.
5. Makes technical and conforming changes.